

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the following discussion, is respectfully requested.

Claims 1-3 and 19-33 are pending in the present application.

In the outstanding Office Action, Claims 1-3 and 19-33 were rejected under 35 U.S.C. §102(b) as anticipated by Benson et al. (U.S. Patent No. 5,845,281, hereinafter Benson).

With respect to the rejection of Claim 1 as anticipated by Benson, Applicants respectfully traverse the rejection. Claim 1 recites:

An apparatus for managing using condition information corresponding to content data, comprising:

means for receiving said using condition information described in a first format, the using condition information indicating usage rules corresponding to the content data;

means for converting said first format of said using condition information into a second format, said second format being different from the first format; and

means for transmitting the using condition information described in the second format.

Benson does not teach or suggest, at least, “means for converting said first format of said using condition information into a second format, said second format being different from the first format” of Claim 1.

Benson describes a system and method for managing a data object to comply with predetermined usage conditions. As described in Benson, an author creates a data object 24. The author also determines conditions 42 for the usage of the data object 24. The data object 24 and the usage conditions 42 are input into a data packaging program 19, which creates a secure data package 40. Fig. 4 of Benson describes the operation of the data packaging program, which shows box 409 labeled “convert data object file format.”

Benson further discloses that the data packaging program converts the format of the data object (not the usage conditions) based on specified format code.¹ Converting the format of the data object does not describe or suggest the claimed “means for converting said first format of said using condition information into a second format, said second format being different from the first format” (emphasis added).

Furthermore, the purpose of converting the data object in Benson is different than the purpose of converting the using condition information in the claimed invention. The purpose of converting the data object in Benson is to convert the data object into a format required by content providers, such as converting BMP files into GIF files. However, the purpose of the “means for converting” in the claimed invention is to convert the using condition information from a first format into a second format, the second format being different from the first format.

Furthermore, Benson discloses that the data packaging program creates a user set of control data adapted to a specific user on the basis of the general set of control data by updating items, such as the number of viewings allowable with the usage purchased.² However, the claimed invention converts using condition information into a second format that is different from the first format.

In view of the above-noted distinctions, Applicants respectfully submit that Claim 1 (and Claims 2 and 3) patentably distinguish over Benson. In addition, independent Claims 19-21, 26, 32, and 33 include elements similar to those of Claim 1. Accordingly, Applicants respectfully submit that Claims 19-21, 26, 32, and 33 (and Claims 22-25, and 27-31) patentably distinguish over Benson for at least the reasons stated for Claim 1.

¹ Benson, col. 6, lines 40-43, col. 7, lines 54-64, and 409 of Fig. 4.

² Benson, col. 10, lines 11-38.

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Consequently, in light of the above discussion, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.


Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

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Scott A. McKeown
Registration No. 42,866